

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHRISTOPHER HEIEN, ANNA NGUYEN,)
ANNA MINIUTTI AND BENJAMIN)
SPILLER, ANTONIA AND ENDICOTT)
PEABODY, NICOLAI JAKOBSEN,)
HUMOUD AL SABAH, BRIAN EPSTEIN)
LAURA NESCI, RON LEVY, and ANDREA)
MANGONE,)
individually and on behalf of themselves and all)
others similarly situated,)
Plaintiffs,)

vs.)

Case No. 1:12-CV-11079-RGS

ARCHSTONE, ARCHSTONE)
COMMUNITIES, LLC, ARCHSTONE)
AVENIR LP, ASN PARK ESSEX LLC, ASN)
QUINCY LLC, ASN QUARRY HILLS LLC,)
ASN BEAR HILL LLC, ASN NORTH POINT)
I LLC, ARCHSTONE NORTH POINT LLC,)
ARCHSTONE CRONIN'S LANDING, ASN)
WATERTOWN LLC, and ASN KENDALL)
SQUARE LLC,)
Defendants.)

MOTION FOR WRITTEN FINDINGS OF FACT AND RULINGS OF LAW
(Memorandum Incorporated)

Class counsel respectfully move pursuant to Rules 23(h)(3), 52(a), and 52(b) that the Court issue written findings of fact and rulings of law regarding its award of attorney's fees in the amount of \$29,250. See Doc. No. 66 (October 2, 2014) (attached as Exhibit A).

"The court ... must find the facts and state its legal conclusions under Rule 52(a)" with regard to a petition for attorney's fees. Fed.R.Civ.P 23(h)(3). Because the amount of attorney's fees the Court awarded was less than a fourteenth of what class counsel had requested (\$429,000), and further because it was less than a sixth of what even the defendants considered

reasonable (\$195,000), class counsel believe that the Court should explain its rationale so that they can determine whether an appeal is warranted.

The defendants do not contest class counsel's right to make this motion.

Respectfully Submitted,

/s/ Kevin T. Peters .

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Dated: October 22, 2014

CERTIFICATE OF SERVICE

I, Kevin T. Peters, hereby certify that this document has been filed through the ECF system, will be sent electronically to the registered participants as identified on the notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Kevin T. Peters

LOCAL RULE 7.1(A)(2) CERTIFICATE

I certify that in compliance with Local Rule 7.1(a)(2), I conferred with defendants' counsel, Craig White on October 20, 2014 in an attempt in good faith to resolve or narrow the issues presented by this motion.

/s/ Kevin T. Peters

Jennifer Webb

From: ECFnotice@mad.uscourts.gov
Sent: Thursday, October 02, 2014 3:08 PM
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Subject: Activity in Case 1:12-cv-11079-RGS Heien et al v. Archstone et al Order on Motion for Attorney Fees

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United States District Court

District of Massachusetts

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Case Name: Heien et al v. Archstone et al

Case Number: 1:12-cv-11079-RGS

Filer:

Document Number: 66(No document attached)

Docket Text:

Judge William G. Young: ELECTRONIC ORDER entered: Attorneys' fee are awarded in the sum of \$29,250.00. re [53] Motion for Attorney Fees (Paine, Matthew)

1:12-cv-11079-RGS Notice has been electronically mailed to:

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